## REMARKS

Claims 2-6 and 8 are all the claims pending in the present application. In summary, the Examiner maintains the same rejections of these claims as set forth in the previous Office Action, and adds a few new arguments in the *Response to Arguments* section of the present Office Action. Specifically, claim 2 remains rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Buchholz et al. (US Patent No. 5,555,266) in view of Bauchot et al (US Patent No. 6,141,336) and further in view of Uyesugi et al. (US Patent No. 5,949,777). Claims 3 and 5 remain rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Buchholz and Bauchot in view of Uyesugi, and further in view of Johnston (US Patent No. 6,064,649). Claim 4 remains rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Buchholz and Bauchot in view of Uyesugi, and further in view of Patel (US Patent No. 5,953,706). Claim 6 remains rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Buchholz, Bauchot and Uyesugi, in view of Johnston, and in further view of Patel. Claim 8 remains rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Buchholz in view of Uyesugi.

### *§ 103(a) Rejection (Buchholz / Bauchot / Uyesugi) - Claim 2*

Claim 2 is rejected for the same reasons set forth in the previous Office Action, and the Examiner adds a few new arguments in the *Response to Arguments* section of the present Office Action.

With respect to claim 2, Applicant previously argued that the applied references, either alone or in combination, do not disclose or suggest at least, sending an error occurrence message and allocating a wireless resource for retransmission of data to said wireless terminal

simultaneously when said access point detects a data error in the step (b)," as recited in claim 2.

As pointed out in the previous Response, the Examiner cites and quotes directly from Uyesugi as

allegedly disclosing the above-quoted feature of claim 2. Applicant previously argued that the

cited/quoted portion of Uyesugi is simply directed to the way in which the terminate and stay

resident system (TSR) 502 of the personal computer communicates with the wireless

communication processor (WCP) 508 of the wireless personal area network (PAN) adaptor.

However, Uyesugi does not disclose or suggest that the claimed error that occurs in claim 2 is the

error and the data that is received <u>from</u> a wireless terminal in the access point. In response, the

Examiner alleges:

> The Examiner asserts that the TSR is a communication source
> which communicates with WCP, the WCP includes a wireless
> data/control commands transmission/reception unit/wireless
> antenna, buffer memory for storing received data and control
> commands for wireless transmission, therefore performs the
> functionality of wireless terminal.

In response, even if, *arguendo*, the TSR is a communication source which communicates

with the WCP, there is no mention in Uyesugi of error that occurs in data that is received <u>from</u>

the wireless terminal. The Examiner alleges that the WCP corresponds to the claimed wireless

terminal, however, Uyesugi does not even mention error in data that is received from the WCP.

Therefore, at least based on the foregoing, Applicant maintains that claim 2 is patentably

distinguishable over the applied references, either alone or in combination.

Further, the Examiner alleges, "it is noted that the features upon which Applicant relies

(i.e., the kind of error) are not recited in the rejected claims." Applicant believes that the

Examiner is referring to the argument that the claimed error that occurs in claim 2 is the error in

the data that is received from a wireless terminal. In response, Applicant respectfully directs the

Examiner's attention to at least operation "b" of claim 2 in which the claimed error is indicated as error in data which was received from a wireless terminal in the access point. Therefore, Applicant traverses the Examiner's argument that the features upon which Applicant relies are not recited in the rejected claims.

At least based on the foregoing arguments, Applicant maintains that claim 2 is patentably distinguishable over the applied references, either alone or in combination.

### *§ 103(a) Rejections (Buchholz / Bauchot / Uyesugi / Johnston) - Claims 3 and 5*

Applicant submits that dependent claims 3 and 5 are patentable at least by virtue of their dependency from independent claim 2. Johnston does not make up for the deficiencies of the other references.

### *§ 103(a) Rejections (Buchholz / Bauchot / Uyesugi / Patel) - Claim 4*

Applicant submits that dependent claim 4 is patentable at least by virtue of its dependency from independent claim 2. Patel does not make up for the deficiencies of the other references.

### *§ 103(a) Rejections (Buchholz / Bauchot / Uyesugi / Johnston / Patel) - Claim 6*

Applicant submits that dependent claim 6 is patentable at least by virtue of its dependency from independent claim 2. Patel does not make up for the deficiencies of the other references.

### *§ 103(a) Rejections (Buchholz / Uyesugi) - Claim 8*

Applicant submits that independent claim 8 is patentable at least based on reasons similar to those set forth above with respect to independent claim 2.
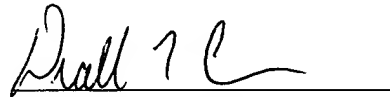
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: March 30, 2006

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